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OCT 31 1991

VIA TELEFAX

4WD-SSRB

Mr. James C. Brown
Manager, Environmental Affairs
Department
Olin Chemicals
Post Office Box 248
Charleston, Tennessee 37310

RE: Source Evaluation Technical Memorandum - Olin
Corporation/McIntosh Plant Superfund Site

Dear Mr. Brown:

The U.S. Environmental Protection Agency (EPA) and Olin Corporation executed an Administrative Order on Consent (AOC) for the Remedial Investigation/Feasibility Study (RI/FS) effective May 9, 1990. Pursuant to this agreement, Olin committed to a Work Plan schedule dated May 24, 1991. EPA recognizes by your letter of October 28, 1991, that Olin has proposed an adjustment of the schedule by approximately three (3) weeks to accommodate the unanticipated EPA review time for the Work Plan approval.

The Source Evaluation Technical Memorandum (SETM) was due on September 1, 1991. Olin notified EPA by its monthly progress report on September 10, 1991, that the SETM would not be delivered until November 11, 1991 (a ten (10) week delay). Section XXIII of the AOC does not provide for modification of any detail of the schedule without written approval from the appropriate EPA designee. As you can understand modification as contemplated by Olin is unacceptable, particularly where the scheduled item is a critical path item such as the SETM. Normally, EPA would have assessed stipulated penalties for Olin's failure to meet the approved schedule. However, based on your assurances that the SETM will be submitted on November 11, 1991, and will not delay any future deliverables, EPA will forego penalties under Section XVI(A)(3) at this time. Please understand, however, that stipulated penalties will be assessed if Olin fails to meet the approved schedule in the future.

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EPA will review the adjusted schedule submitted by Olin dated October 28, 1991, and will provide written notice of its decision regarding the acceptance of such adjustment.

If there are any questions or concerns, please do not hesitate to contact me at (404) 347-2643.

Sincerely,

Kenneth A. Lucas
Remedial Project Manager
South Superfund Remedial Branch

cc: Toni Odom, Olin
Joe Downey, ADEM
Dan Cooper, ADEM
Joanne Benante, RCRA
Joyce Catrett, ORC